



# Utah Division of Solid and Hazardous Waste

## Solid Waste Management Program

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## INSTRUCTIONS FOR APPLICATION FOR A PERMIT TO OPERATE A CLASS III LANDFILL

Utah Code Annotated 19-6-104(j) requires that all facilities which dispose of solid waste submit information as required by the Solid and Hazardous Waste Control Board prior to disposal of any solid waste. Utah Administrative Code (UAC) R315-310 was adopted by the Board and sets the requirements for a permit application that must be submitted to the Executive Secretary of the Board. The Executive Secretary has determined that any Class III permit application, renewal or modification must be accompanied by the form titled "*Application for a Permit to Operate A Class III Landfill.*"

The following instructions are included to assist the applicant in completing the form. If additional help is needed, please contact a member of the solid waste section staff at (801) 538-6170.

The form consists of two parts. Part I "General Information" requires specific information on the facility and the owner and operator. Part I must be completed and submitted with the permit application.

Part II "Application Checklist" shows the areas that a permit application should cover. Please note that the "Application Checklist" is provided to help the permit applicant in the preparation of an application. In the event that questions arise regarding the permit requirements for a Class III landfill, the text of the rules, UAC R315-301 through 320, will govern. Completion of Part II, although not required as part of the permit application, will in aid application preparation and permit review.

### **Part I Instructions**

#### **Section I - Landfill Type**

This application can be used to apply for all Class III landfill permits. A Class III landfill is defined as follows (UAC R315-301-2(9)):

"Class III Landfill" means a non-commercial landfill that is permitted by the Executive Secretary to receive for disposal only industrial solid waste.

Class III landfills have been divided into Class IIIa and Class IIIb sub-categories which are defined as follows (R315-304-3):

"Class IIIa Landfill" means a landfill as defined by Subsection R315-301-2(9) that may accept:

- (a) any nonhazardous industrial waste;
- (b) waste that is exempt from hazardous waste regulations under Section R315-2-4; or
- (c) conditionally exempt small quantity generator hazardous waste as defined by Section R315-2-5.

"Class IIIb Landfill" means a landfill as defined by Subsection R315-301-2(9) that may accept any nonhazardous industrial solid waste except:

- (a) waste that is exempt from hazardous waste regulations under Section R315-2-4, excluding Subsections R315-2-4(b)(3), (4), (5), (7), and (14), unless approved by the Executive Secretary; or

(b) conditionally exempt small quantity generator hazardous waste as defined by Section R315-2-5.

Check the appropriate box for a Class IIIa or Class IIIb landfill.

## Section II - Application Type

All applications for landfills not operating under a current permit are considered new applications.

Currently permitted landfills, for which a permit renewal is being requested, should check the RENEWAL APPLICATION box.

Permit applications in which the permittee is seeking to expand the facility beyond the boundaries that are shown in the existing permit should check the FACILITY EXPANSION box. Facility expansion must meet all of the requirements for a new facility.

All permit modification requests, whether major or minor, must be accompanied by a completed APPLICATION FOR A PERMIT TO OPERATE A CLASS III LANDFILL. Modifications are either major or minor as defined in UAC R315-311-2. Modifications that affect the size or design of the final cover will require review of the closure and post-closure care costs as well as the amount of financial assurance. Construction of units or sub-units according to the design shown in the existing permit is not a permit modification. Construction of approved units or sub-units should follow the requirements of the rules and the permit.

All applications that are for permit renewal, modification, or expansion must show the permit number of the current landfill permit.

## Section III - Facility Name and Location

The NAME OF FACILITY is the legal name of the solid waste disposal area as recorded by the applicant. This name shall be used as the name of the facility in all subsequent applications and correspondence with the Division. The name of the facility can be changed by submitting a written request to the Executive Secretary of the Solid and Hazardous Waste Control Board. The SITE ADDRESS (including the CITY, STATE, ZIP CODE, and COUNTY) is the street address of the facility or a description of the location where no address is available. The SITE ADDRESS is not the legal description, or mailing address. The legal description will be included as one of the attachments in the permit application. If a TELEPHONE number is not established for the facility, indicate by recording "N/A" in the check box.

Township range and section describe the area of the entire landfill. A landfill may cover more than one section or occasionally be in more than one township or range. If multiple townships, ranges or sections are included in the site, include them all. The QUARTER SECTION and QUARTER/QUARTER SECTION (for example SW, quarter/quarter of the NW, quarter) describe the location of the site and will generally apply to smaller landfills. LATITUDE and LONGITUDE refer to a point and should be given as the coordinates of the facility main entrance.

## Section IV - Facility Owner(s) Information

In the space titled FACILITY OWNER(S) INFORMATION, record the name of the individual, partnership, corporation, association, or other legal entity that owns or will own the facility. (NOTE: The Facility Owner will be the principal permittee and will be held responsible for all activities at the facility.) The applicant's address is the business mailing address. Contact information will be provided in Section VII.

#### Section V - Operator(s) Information

In the space titled FACILITY OPERATOR(S) INFORMATION, record the name of the individual (other than an employee of the owner), partnership, corporation, association, or other legal entity that will provide daily operations at the facility. (NOTE: A federal court ruling has interpreted the Solid and Hazardous Waste Act as requiring the operator and land owner be joint permittees with the facility owner.) If the operator is the same as the facility owner, enter SAME in the space labeled LEGAL NAME OF FACILITY OPERATOR. The applicant's address is the business mailing address. Contact information will be provided in Section VII.

#### Section VI - Property Owner(s) Information

In the space titled PROPERTY OWNER(S) INFORMATION, record the name of the individual, partnership, corporation, association, governmental entity, or other legal entity that owns the property. The TELEPHONE, ADDRESS, CITY, STATE, and ZIP CODE are those of the property owner. If the property owner has a contact person, they will be entered in Section VII. If there is more than one owner, please indicate so in the first line for SECTION VI by typing "See attached Owners List". Identify all property owners and what they own. The property owner means any person with an ownership interest in the solid waste disposal facility property.

#### Section VII - Contact Information

The person listed as OWNER CONTACT, OPERATOR CONTACT, and LAND OWNER CONTACT should be the person that the owner, operator, or landowner wants the Division to communicate through for general information. This person is not necessarily the person that is authorized to act for the owner, operator, or landowner. In many cases the contact will be the landfill manager while the authorized representative will be an executive director. All official communication will be through the authorized representative. Where the owner, operator, and landowner are the same enter the contact information for the owner contact only.

#### Section VIII - Waste Type

The applicant should indicate the waste types that will be accepted. Also indicate whether all waste is to be disposed of in a single unit or if separate units are to be used for specific wastes. Many landfills will be operated with a separate unit for C/D and all other waste combined into one unit. Disposal of waste containing friable asbestos requires additional procedures and post-closure restrictions and may be a waste that is better separated into a separate unit. UAC R315-315-7(2) defines PCB wastes that may be disposed of at all permitted landfills in Utah. No other PCB's may be accepted at a Class III facility.

#### Section IX - Facility Area

The total facility area including all buffer acreage and waste handling and transfer acreage should be shown as the FACILITY AREA. The DISPOSAL AREA is only the area that will be used for waste disposal. DESIGN CAPACITY is the total capacity of the site as designated in the application. For new facilities this will be the total design capacity. For existing facilities this will be the remaining capacity.

#### Section X - Fee and Application Documents

Application fees are as follows:

|  |        |
|--|--------|
| New Non-Commercial Facility (Class III Landfill) | \$ 750 |
| Plan Renewals and Plan Modifications             | \$ 100 |
| Variance Requests                                | \$ 500 |

In addition to the application fee, the Division is required to charge for review time at the rate of \$70.00 per hour. This fee applies to all sites that must pay an application fee. In addition to the application fee and the review fee, the applicant is required to pay all costs for public notices published.

All of the documents listed should be attached (see the attached "Application Check List"). If a specific document is not included in the application a note of explanation should be attached giving the reasons for the missing document.

#### Authorized Signature

The owner, operator, and landowner will be listed as co-permittees on the final permit. Each of the co-permittees must have a person meeting the requirements of UAC R315-310-2(4) sign the permit application. If the permittee wishes to authorize a person other than the representative listed in the rule, an authorization as outlined in UAC R315-310-2(4)(d) must be submitted with the application.

#### **Part II Application Checklist**

Permit applicants should review each section of the checklist and provide information in the application that addresses each of the requirements of the rules regarding Class III landfills. Showing the area or areas in the permit application where the information can be found will expedite the review process.

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